

FIRST REGULAR SESSION

HOUSE BILL NO. 235

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JONES (89) (Sponsor), JONES (117), GRISAMORE, BIVINS,
SCHOELLER, LOW, YATES, PRATT, STEVENSON, SCHLOTTACH, CHAPPELLE-NADAL,
ZIMMERMAN, KELLY, BURNETT, LeVOTA, SMITH (150), MEADOWS,
TALBOY AND BRINGER (Co-sponsors).

0855L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the statewide court automation fund, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 476.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 476.055, to read as follows:

476.055. 1. There is hereby established in the state treasury the "Statewide Court Automation Fund". All moneys collected pursuant to section 488.027, RSMo, as well as gifts, contributions, devises, bequests, and grants received relating to automation of judicial record keeping, and moneys received by the judicial system for the dissemination of information and sales of publications developed relating to automation of judicial record keeping, shall be credited to the fund. Moneys credited to this fund may only be used for the purposes set forth in this section and as appropriated by the general assembly. Any unexpended balance remaining in the statewide court automation fund at the end of each biennium shall not be subject to the provisions of section 33.080, RSMo, requiring the transfer of such unexpended balance to general revenue[; except that, any unexpended balance remaining in the fund on September 1, 2009, shall be transferred to general revenue].

2. The statewide court automation fund shall be administered by a court automation committee consisting of the following: the chief justice of the supreme court, a judge from the court of appeals, four circuit judges, four associate circuit judges, four employees of the circuit court, the commissioner of administration, two members of the house of representatives

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 appointed by the speaker of the house, two members of the senate appointed by the president pro
17 tem of the senate and two members of the Missouri Bar. The judge members and employee
18 members shall be appointed by the chief justice. The commissioner of administration shall serve
19 ex officio. The members of the Missouri Bar shall be appointed by the board of governors of the
20 Missouri Bar. Any member of the committee may designate another person to serve on the
21 committee in place of the committee member.

22 3. The committee shall develop and implement a plan for a statewide court automation
23 system. The committee shall have the authority to hire consultants, review systems in other
24 jurisdictions and purchase goods and services to administer the provisions of this section. The
25 committee may implement one or more pilot projects in the state for the purposes of determining
26 the feasibility of developing and implementing such plan. The members of the committee shall
27 be reimbursed from the court automation fund for their actual expenses in performing their
28 official duties on the committee.

29 4. Any purchase of computer software or computer hardware that exceeds five thousand
30 dollars shall be made pursuant to the requirements of the office of administration for lowest and
31 best bid. Such bids shall be subject to acceptance by the office of administration. The court
32 automation committee shall determine the specifications for such bids.

33 5. The court automation committee shall not require any circuit court to change any
34 operating system in such court, unless the committee provides all necessary personnel, funds and
35 equipment necessary to effectuate the required changes. No judicial circuit or county may be
36 reimbursed for any costs incurred pursuant to this subsection unless such judicial circuit or
37 county has the approval of the court automation committee prior to incurring the specific cost.

38 6. Any court automation system, including any pilot project, shall be implemented,
39 operated and maintained in accordance with strict standards for the security and privacy of
40 confidential judicial records. Any person who knowingly releases information from a
41 confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing that
42 a judicial record is confidential, uses information from such confidential record for financial gain
43 is guilty of a class D felony.

44 7. On the first day of February, May, August and November of each year, the court
45 automation committee shall file a report on the progress of the statewide automation system with
46 the joint legislative committee on court automation. Such committee shall consist of the
47 following:

- 48 (1) The chair of the house budget committee;
- 49 (2) The chair of the senate appropriations committee;
- 50 (3) The chair of the house judiciary committee;
- 51 (4) The chair of the senate judiciary committee;

52 (5) One member of the minority party of the house appointed by the speaker of the house
53 of representatives; and

54 (6) One member of the minority party of the senate appointed by the president pro
55 tempore of the senate.

56 8. The members of the joint legislative committee shall be reimbursed from the court
57 automation fund for their actual expenses incurred in the performance of their official duties as
58 members of the joint legislative committee on court automation.

59 [9. Section 488.027, RSMo, shall expire on September 1, 2009. The court automation
60 committee established pursuant to this section may continue to function until completion of its
61 duties prescribed by this section, but shall complete its duties prior to September 1, 2011.

62 10. This section shall expire on September 1, 2011.]

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